REMARKS/ARGUMENTS

Claims 13, 17, 18, 19, 23-27, 30-31, 44-47, 50, 55-58, and 63-66 have been amended without prejudice or disclaimer. No new matter has been added. Claims 13-66 remain in the application.

Claim Objections

Claims 13, 18, 23-27, 30-31, 44-47, 50, 55-58, and 63-66 were rejected under 112, second paragraph for reciting the limitation "or".

Applicants have amended claims 13, 18, 23-27, 30-31, 44-47, 50, 55-58, and 63-66 where the use of the term "or" might render the claim vague or indefinite. Applicants believe that the rejection is now overcome. If however, further amendment is needed, Applicants respectfully request the Examiner's input as the term "or" remains in portions of the claims where Applicants believe the clarity of the claim has not been impacted.

Claim rejections under 35 U.S.C. 103(a)

Claims 13-15, 19, 21-25, 27-32, 34, 37, 39-45, 47-54, 59 and 62 were rejected under 35USC103(a) as being unpatentable over Kozah (US Patent No. 5,337,149) in vie o Awe et al (US Patent No. 6,509,906).

Applicants respectfully traverse in part and amend in part. Neither Kozah nor Awe taken individually or in combination teach or suggest that which is taught and claimed by Applicants' invention. The majority of the Examiner's rejection appears to be based on the Kozah reference '149. Applicants assert that there are fundamental differences between Applicants' invention, as claimed, and the Kozah reference as discussed below.

Kozah teaches using what amounts to an automated range finder that transmits distance measurements into a computer program. The computer program of Kozah tracks the

range finder's current location and combines that with the distance measurements from the range finder to form a crude "model" of the surrounding environment. By repeatedly moving the range finder, tracking its location, and collecting more distance readings, a crude "model" of the physical environment is constructed.

Applicants' invention, on the other hand, teaches that a computer program can accept data representing the physical environment in the form of a pre-existing computer file. Applicants have amended claims 13, 17, 18, 19, 26, 30 and 63 to more clearly define the invention a being a computer file. The computer file can contain raster or vector data, or can even be blank, but the origination of the "model" constructed by the apparatus of Applicants' invention is a computer file - as opposed to Kozah, which teaches starting with measurements.

A user of Applicants' invention can then manipulate the pre-existing data in the computer file to form a model of the environment suitable for use in communication or network engineering. This manipulation does not require the use of measurement data, as does Kozah. So, for example, Applicants' invention can take in a typical building blueprint as a computer file, and the user of Applicants' invention can then click on a line (representing a wall of the building) with a computer mouse and modify the attributes or change some other characteristic of the line such that a later communication or network engineering application recognizes the chosen line as a "brick wall" or "concrete wall" or some other known entity. None of this process is taught or suggested by the Kozah reference, which instead requires a range finder and measurement data.

A user of Kozah's invention must visit the physical environment being modeled and use the range finder as part of the process taught by Kozah. A user of Applicants' invention has no need to visit the physical environment being modeled, as instead all that is required is a computer file. Applicants' invention also teaches that the computer file can be blank or empty; meaning that the user of Applicants' invention can trace, sketch,

or draw from scratch their own rendition of the physical environment. Kozah fails to teach or suggest such functionality.

Unlike Kozah, Applicants' invention does not require measurement data of any sort as part of the process of constructing the physical model of the environment. Applicants' invention does not use range finders or measurement data acquired by physically visiting the site, as required by Kozah. Kozah neither teaches nor suggests using pre-existing computer files representing the physical environment to be modeled. Kozah requires the use of range finders or measurement data.

Applicants teach that measured distances may be used as part of the verification of sufficiency process (claims 55, 65) to confirm the model of the facility constructed by the earlier manipulation process is precise, but this is not required and is part of the post-model creation process. Also, such measurement data used in Applicants' invention does not require that said data be transmitted live from an attached distance measuring device; Kozah, on the other hand, teaches that the distance measuring device is connected to the computer program in order to transmit measured distance readings.

Moving to the awe reference, Awe does not deal with manipulating computerized information representing the physical environment to form a computerized model, verifying the sufficiency of the computerized model, nor with enabling the computerized model to be used for communication or network engineering. Instead, Awe is focused on displaying graphical primitives based on associated display representation data for the primitives. Awe does not teach or suggest modeling the physical environment, or manipulating data to form a model of the physical environment, as is taught and claimed by Applicants' invention.

Thus, the cited references of Kozah and Awe taken individually or combined fail to teach that which is taught and claimed by Applicants' invention. Accordingly, the rejections of claims 13-15, 19, 21-25, 27-32, 34, 37, 39-45, 47-54, 59 and 62 are believed to be overcome.

Claims 16-18, 20, 26, 33, 35-36, 38, 46, 55-58, 60-61, and 63-66 were rejected under 35USC103(a) as being unpatentable over Kozah et al (US Patent 5,337, 149) in view of Awe (US Patent No. 6,509,906) and further in view of Ingram (US Patent 5,091,869).

Claims 16-18, 20, 26, 33, 35-36, 38, 46, 55-58, 60-61, and 63-66 are all dependent claims providing further limitations to what are believed to be allowable independent claims and hence are also in condition for allowance. The Ingram reference requires the use of range finders in a manner very similar to Kozah and thus the arguments presented above for Kozah apply to the Ingram reference as well. The cited references of Kozah, Awe and Ingram taken individually or in combination fail to teach or suggest that which is claimed by Applicants' invention. Claims 16-18, 20, 26, 33, 35-36, 38, 46, 55-58, 60-61, and 63-66 are thus believed to be in condition for allowance.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

February 14, 2007
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